

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



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Order Instituting Rulemaking on the Commission's Own
Motion to Assess and Revise the Regulation of
Telecommunications Utilities

Rulemaking 05-04-005
(Filed April 7, 2005)

Rulemaking for the Purpose of Revising General Order
96-A Regarding Informal Filings at the Commission

Rulemaking 98-07-038
(Filed July 23, 1998)

**MOTION OF THE UTILITY REFORM NETWORK AND THE DIVISION OF
RATEPAYER ADVOCATES TO SHORTEN TIME FOR RESPONSE**

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October 4, 2007

**BEFORE THE PUBLIC UTILITIES COMMISSION
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RATEPAYER ADVOCATES TO SHORTEN TIME FOR RESPONSE**

In accordance with Article 11 *et seq.* of the Commission's Rules of Practice and Procedure, The Utility Reform Network ("TURN") and the Division of Ratepayer Advocates ("DRA") hereby seek an order shortening the time to respond to our concurrently filed "Motion to Dismiss." Specifically, TURN and DRA request that the Commission shorten the time for any AT&T California ("AT&T") response to TURN and DRA's Motion to Dismiss to October 8, 2007. TURN and DRA have good cause for this request, as discussed below, and granting this request will not prejudice AT&T.

I. TURN'S Motion To Dismiss

In their Motion to Dismiss, TURN and DRA are seeking an order to dismiss AT&T's "Petition to Modify D.01-09-058" on the grounds that AT&T has failed to meet its burden of proof in its filed direct testimony specifically on the issue of "Whether AT&T has reformed its processes and procedures to ensure that the abuses found in C.98-04-004 do not occur" ("Issue c").

II. A Shortened Response Time Is Critical For TURN And DRA And Is Not Prejudicial To AT&T

As TURN and DRA discussed in our Motion to Dismiss, AT&T was clearly on notice that “Issue c” is squarely within the scope of this proceeding and that AT&T has the burden to demonstrate that it has reformed its processes and procedures to ensure that the abuses found in C.98-04-004 do not reoccur in the future. Given the short schedule for this proceeding, and given that DRA and TURN responsive testimony is due October 22, 2007, with AT&T rebuttal testimony due November 5, 2007, it is critical for TURN and DRA to have clarity as to whether “Issue c” is still a relevant issue in this proceeding and/or whether AT&T can still file rebuttal testimony on this issue. It can only be assumed that AT&T made a conscious decision to not include any evidence pertaining to “Issue c” in its direct testimony, and therefore, it should not take AT&T an extended time to respond to the Motion to Dismiss.

For the reasons stated above, TURN and DRA respectfully request an order shortening time to respond to its Motion to Dismiss by October 8, 2007.

Date: October, 4, 2007

Respectfully submitted,

By: _____/S/_____

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**[PROPOSED] ADMINISTRATIVE LAW JUDGE'S RULING GRANTING
MOTION TO SHORTEN TIME FOR RESPONSE TO TURN AND DRA' MOTION TO
DISMISS**

Having reviewed the Motion of The Utility Reform Network and the Division of
Ratepayer Advocates to Shorten Time for Response, and good cause appearing,

IT IS HEREBY RULED that:

TURN and DRA's Motion to Shorten Time for Response is granted.

DATED: October __, 2007

By: _____

Administrative Law Judge

CERTIFICATE OF SERVICE

I, Larry Wong, certify under penalty of perjury under the laws of the State of California that the following is true and correct:

On October 4, 2007 I served the attached:

**MOTION OF THE UTILITY REFORM NETWORK AND THE DIVISION
OF RATEPAYER ADVOCATES TO SHORTEN TIME FOR RESPONSE**

on all eligible parties on the attached lists to **R.05-04-005 and R.98-07-038**, by sending said document by electronic mail to each of the parties via electronic mail, as reflected on the attached Service List.

Executed this October 4, 2007, at San Francisco, California.

/S/

Larry Wong

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